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Firm or Individual name	Winstead Sechrest & Minick P.C. Robert A. Voight Jr. / Reg. No. 47,159
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OIPE IAP28
APR 04 2006
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Challener et al.	:	Before the Examiner: Abrishamkar, Kaveh
Serial No.: 09/758,927	:	Group Art Unit: 2131
Filing Date: January 11, 2001	:	
Title: INTERNET APPLIANCE INTEGRATING TELEPHONE FUNCTION SECURITY AND GUIDANCE FEATURES	:	IBM Corporation P.O. Box 12195 Dept. 9CCA, Bldg. 002-2 Research Triangle Park, NC 27709

SECOND APPEAL BRIEF

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I. REAL PARTY IN INTEREST

The real party in interest is International Business Machines, Inc., which is the assignee of the entire right, title and interest in the above-identified patent application.

CERTIFICATION UNDER 37 C.F.R. §1.8

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II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal representative or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 2-45 are pending in the Application. Claim 1 was cancelled. Claims 2-45 stand rejected. Claims 2-45 are appealed.

IV. STATUS OF AMENDMENTS

Appellants submitted two amendments filed on June 28, 2005 and July 15, 2005, respectively, after the final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

In one embodiment of the present invention, a method of integrating telephony function with security and guidance features on an Internet appliance comprising the step of selecting a communication access number using a selection means, the communication access number operable to access a communication link via the Internet appliance. Specification, page 10, lines 15-21; Figure 1, step 101. The method may further comprise alerting a user of the Internet appliance when an attempt is made to select the communication link via a dialing action of the Internet appliance using the communication access number. Specification, page 10, line 21; Figure 1, step 103. The method may further comprise receiving an authorization for the dialing action by the user of the Internet appliance. Specification, page 10, line 22 – page 11, line 4; Figure 1, step 104. The method may further comprise using a security protocol for encrypting and decrypting information transmitted on the

communication link in response to authorizing the dialing action for the communication link. Specification, page 11, line 6- page 12, line 7; Figure 1, steps 106, 113.

In another embodiment of the present invention, a system for integrating telephony function with security and guidance features on an Internet appliance (IA) may comprise one or more personal identification means (PIM) input units coupled to a system bus in an ICA, the PIM input units operable to generate unique PIM signals. Specification, page 12, line 8 – page 13, line 5; Figure 3, elements 300, 303 and 312. The system may further comprise a security protocol circuit operable to encrypt, decrypt, store and retrieve the PIM signals and device driver code. Specification, page 13, line 2 – page 14, line 9; Figure 3, element 344. The system may further comprise a PIM verification circuit operable to receive the PIM signals and compare them to secure predetermined PIM signals, the PIM verification circuit generating a verification signal. Specification, page 14, line 10 – page 15, line 5; Figure 4, element 405. The system may further comprise one or more Modems coupled to a dialing action controller and to communication lines, the Modems operable to send and receive communication data. Specification, page 14, line 10 – page 15, line 5; Figure 4, elements 402-404, 405 and 406-408. The system may further comprise a dialing action controller (DAC) coupled to the system bus and the Modems, the DAC operable receive a dialing action request and to alert a user of the dialing action and to enable or disable the dialing action to the Modems in response to the verification signal and a user signal. Specification, page 14, line 10 – page 15, line 5; Figure 3, element 312; Figure 4, elements 405 and 406-408.

In another embodiment of the present invention, an Internet appliance may comprise a central processing unit (CPU). Specification, page 12, line 7 – page 13, line 5; Figure 3, element 310. The Internet appliance may further comprise a read only memory (ROM). Specification, page 12, line 7 – page 13, line 5; Figure 3,

element 316. The Internet appliance may further comprise a random access memory (RAM). Specification, page 12, line 7 – page 13, line 5; Figure 3, element 314. The Internet appliance may further comprise a user interface adapter coupled to a keyboard and a mouse. Specification, page 12, line 7 – page 13, line 5; Figure 3, elements 322, 326 and 328. The Internet appliance may further comprise a display interface adapter coupled to a user display. Specification, page 12, line 7 – page 13, line 5; Figure 3, element 336. The Internet appliance may further comprise an I/O interface adapter. Specification, page 12, line 7 – page 13, line 5; Figure 3, element 304. The Internet appliance may further comprise a system bus. Specification, page 12, line 7 – page 13, line 5; Figure 3, element 312. The Internet appliance may further comprise a communication adapter. Specification, page 12, line 7 – page 13, line 5; Figure 3, element 343. The Internet appliance may further comprise a security processor unit. Specification, page 12, line 7 – page 13, line 5; Figure 3, element 344. The security processor unit may further comprise one or more personal identification means (PIM) input units coupled to a system bus in an ICA, the PIM input units operable to generate unique PIM signals. Specification, page 12, line 8 – page 14, line 9; Figure 3, elements 300, 303 and 312; Figure 4, elements 409-411. The security processor unit may further comprise a security protocol circuit operable to encrypt, decrypt, store and retrieve the PIM signals and device driver code. Specification, page 13, line 2 – page 14, line 9; Figure 3, element 344. The security processor unit may further comprise a PIM verification circuit operable to receive the PIM signals and compare them to secure predetermined PIM signals, the PIM verification circuit generating a verification signal. Specification, page 14, line 10 – page 15, line 5; Figure 4, element 405. The security processor unit may further comprise one or more Modems coupled to a dialing action controller and to communication lines, the Modems operable to send and receive communication data. Specification, page 14, line 10 – page 15, line 5; Figure 4, elements 402-404, 405 and 406-408. The security processor unit may further comprise a dialing action controller

(DAC) coupled to the system bus and the Modems, the DAC operable receive a dialing action request and to alert a user of the dialing action and to enable or disable the dialing action to the Modems in response to the verification signal and a user signal. Specification, page 14, line 10 – page 15, line 5; Figure 3, element 312; Figure 4, elements 405 and 406-408.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 3-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Voit et al. (U.S. Patent No. 6,430,275) (hereinafter "Voit") in view of Rao et al. (U.S. Patent No. 6,757,823) (hereinafter "Rao"). Claims 14, 16-30 and 32-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Stewart (U.S. Patent No. 6,262,629). Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Rao and in further view of Stewart. Claims 15 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Stewart and in further view of Gullman et al. (U.S. Patent No. 5,280,527) (hereinafter "Gullman").

VII. ARGUMENT

A. Claims 3-13 are not properly rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Rao.

The Examiner has rejected claims 3-13 under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Rao. Office Action (1/30/2006), page 3. Appellants respectfully traverse these rejections for at least the reasons stated below.

1. Voit and Rao, taken singly or in combination, do not teach or suggest the following claim limitations.

a. Claim 3 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "using said security protocol for encrypting and decrypting information transmitted on said communication link in response to authorizing said dialing action for said communication link" as recited in claim 3. The Examiner cites column 4, lines 18-35 of Rao as teaching a secure registration process used that exchanges information between calling endpoints. Office Action (1/30/2006), page 4. The Examiner further cites Figure 3 of Rao as teaching encrypting information transmitted on a communication link. Paper No. 6, page 5. Appellants respectfully traverse.

Rao instead teaches that under the present invention, H.323 gateways perform a secure registration process in which they exchange information among themselves or with a translation server associated with the IP network. Column 4, lines 19-22. Rao further teaches that the essence of the information exchanged includes encryption algorithms and public key data. Column 4, lines 22-24. Rao further teaches that Figure 3 is a message flow diagram illustrating secure H.323 VoIP call messaging. Column 2, lines 22-24. Hence, Rao teaches exchanging encryption algorithms and public key data between H.323 gateways or between an H.323 gateway and a translation server. There is no language in the cited passage that teaches using a security protocol for encrypting and decrypting information on a communication link in response to authorizing a dialing action for the communication link. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 3, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

b. Claims 2 and 4-13 are patentable over Voit in view of Rao for at least the reasons that claim 1 is patentable over Voit in view of Rao.

Claims 4-13 depend from claim 3 and hence are patentable over Voit in view of Rao for at least the reasons that claim 1 is patentable over Voit in view of Rao as discussed above in Section (A)(1).

c. Claim 5 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "wherein said PIM is used to grant or block access to certain area or country telephony codes" as recited in claim 5. The Examiner cites column 17, line 66 – column 18, line 8 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 5. Appellants respectfully traverse and assert that Voit instead teaches that the C2 object invokes the C3 object in order to receive authorization to proceed with the call. There is no language in the cited passage that teaches that a personal identification means is used to grant or block access to a certain area code. Neither is there any language in the cited passage that teaches that a personal identification means is used to grant or block access to a certain country telephony code. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 5, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

d. Claim 6 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "matching said communication access number with an actual system entered communication access number" as recited in claim 6. The Examiner cites column 7, lines 39-58; column 12, line 64 – column 13, line 20 and column 19, lines 22-27 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 6. Appellants respectfully traverse and assert that Voit instead teaches that an Internet telephony gateway communicate with a PC user

to establish a PC to a telephone call. There is no language in the cited passages that teaches matching a communication access number with a system entered communication access number. Instead, Voit teaches establishing a telephone call but does not match the phone number of the telephone call with a system entered communication access number. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 6, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

e. Claim 7 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "monitoring an incoming call for a caller ID" as recited in claim 7. The Examiner cites Figure 7 and column 17, lines 22-31 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 6. Appellants respectfully traverse and assert that Voit instead teaches a high level call flow of signaling messages. There is no language in the cited passage that teaches monitoring an incoming call for a caller ID. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 7, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to monitor an incoming call for a caller ID. Paper No. 6, page 5. While it may be well known in the art today to monitor an incoming call for a caller ID, the Examiner must provide a motivation or suggestion for modifying Voit and Rao to monitor an incoming call for a caller ID in order to establish a *prima facie* case of obviousness in rejecting claims 26 and 42. M.P.E.P. §2143. Since the Examiner has not provided such motivation or suggestion,

the Examiner has not established a *prima facie* case of obviousness in rejecting claims 26 and 42. M.P.E.P. §2143.

Appellants further assert that Voit and Rao, taken singly or in combination, do not teach or suggest "answering and routing said incoming call to a receiving device on the basis of said incoming telephone number" as recited in claim 7. The Examiner cites Figure 7 and column 17, lines 22-31 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 6. Appellants respectfully traverse and assert that Voit instead teaches a high level call flow of signaling messages. There is no language in the cited passage that teaches answering an incoming call and routing the incoming call to a receiving device. Neither is there any language in the cited passage that teaches answering an incoming call and routing the incoming call to a receiving device on the basis of the incoming telephone number. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 7, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

f. Claim 8 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up" as recited in claim 8. The Examiner cites column 17, lines 55-61 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 6. Appellants respectfully traverse and assert that Voit instead teaches a user initiating a call via the PC's V/IP software. There is no language in the cited passage that teaches using a built-in key escrow function. Neither is there any language in the cited passage that

teaches using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address. Neither is there any language in the cited passage that teaches using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission. Neither is there any language in the cited passage that teaches using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 8, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

g. Claim 9 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "wherein activating said selected communication access number comprises selecting said communication access number from a displayed Internet web page hot spot" as recited in claim 9. The Examiner cites column 17, lines 41-44 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 7. Appellants respectfully traverse and assert that Voit instead teaches that the customer will launch their V/IP application, either as a plug-in to an existing browser or as a stand-alone application. There is no language in the cited passage that teaches selecting a communication access number from a displayed Internet web page hot spot. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 9, since the Examiner

is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

h. Claim 10 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "wherein said communication access number is selected using an actual or virtual keypad of said Internet appliance" as recited in claim 10. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 7. Appellants respectfully traverse and assert that Voit instead teaches that the authorization request relayed over C3.14 typically consists of an account number and password provided by the PC User to be authenticated by the C3 object. There is no language in the cited passages that teaches selecting a communication access number using an actual or virtual keypad. Neither is there any language in the cited passages that teaches selecting a communication access number using an actual or virtual keypad of an Internet appliance. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 10, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

i. Claim 13 is patentable over Voit in view of Rao.

Appellants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "wherein said communication link comprises a concurrent communication link for an Internet and a telephone connection" as recited in claim 13. The Examiner cites column 8, lines 24-32 and Figure 3 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 7. Appellants respectfully traverse. Appellants respectfully direct the Examiner's

attention to Figure 1B of Voit which illustrates separate connections to circuit switched network 108 and IP routed network 106 instead of a concurrent communication link. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 13, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

2. The Examiner has not presented a source of motivation for combining Voit with Rao.

The Examiner admits that Voit does not teach "using a security protocol for encrypting and decrypting information transmitted on said communication link in response to authorizing said dialing action for said communication link" as recited in claim 3. Office Action (1/30/2006), page 4. The Examiner modifies Voit with Rao to include this limitation in order "to achieve a secure and encrypted communication line between two parties." Office Action (1/30/2006), page 4. The Examiner continues by stating that "[t]his authentication would allow for not only the security of the communication lines against hackers, but also allows for the repudiation of the calling parties. Office Action (1/30/2006), page 4. The motivation to modify Voit with Rao must come from one of three possible sources: the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998). The Examiner has not provided any evidence that his motivation comes from any of these sources. Instead, the Examiner is relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 3-13. *Id.*

B. Claims 14, 16-30 and 32-45 are not properly rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Stewart.

The Examiner has rejected claims 14, 16-30 and 32-45 under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Stewart. Office Action (1/30/2006), page 8. Appellants respectfully traverse these rejections for at least the reasons stated below.

1. Claims 14 and 30 are not taught or suggested by Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "one or more personal identification means (PIM) input units coupled to a system bus in said ICA, said PIM input units operable to generate unique PIM signals" as recited in claim 14. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as teaching the above-cited claim limitation. Office Action (1/20/2006), page 8. Appellants respectfully traverse and assert that Voit instead teaches that that the authorization request is relayed over C3.14 which typically consists of an account number and password provided by the PC User to be authenticated by C3. There is no language in the cited passages that teaches a personal identification means input unit in an Internet appliance. Neither is there any language in the cited passages that teaches a personal identification means input unit coupled to a system bus in an Internet appliance. Instead, the cited passages teaches relaying an authorization request at the network system block or the network provider domain. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 14, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner cites column 13, lines 26-29 of Voit as teaching the above-cited claim limitation. Paper No. 6, page 3.

Appellants respectfully traverse and assert that Voit instead teaches that the C2 generates the raw usage records which are sent to C3. Column 13, lines 26-27. Voit further teaches that a usage record is not tagged as billable unless the PC application has acknowledged its receipt of a connection establishment message. Column 13, lines 27-29. Voit further teaches that the C2 object may require a user ID and password to be provided by the PC Client software prior to completing a V/IP call. Column 13, lines 29-31. Hence, Voit teaches an object requiring a user ID and password to be provided prior to completing a voice over IP call. There is no language in the cited passage that teaches a personal identification means (PIM) input unit coupled to a system bus in an Internet appliance. Neither is there any language in the cited passage that teaches such a PIM input unit that is operable to generate a unique PIM signal. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 14, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Appellants further assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a security protocol circuit operable to encrypt, decrypt, store and retrieve said PIM signals and device driver code" as recited in claim 14 and similarly in claim 30. The Examiner cites column 9, lines 38-65 of Voit as disclosing the above-cited claim limitation. Office Action (1/30/2006), page 9. The Examiner further cites column 4, lines 14-52 and column 5, lines 10-43 of Stewart as teaching a device driver code. Appellants respectfully traverse.

Voit instead teaches that the authorization request relayed over the C3.14 interface is preferably encrypted and secure. However, there is no language in the cited passage that teaches a circuit operable to decrypt. Neither is there any language in the cited passage that teaches a circuit operable to store a signal generating from a personal identification means input unit in an Internet appliance. Neither is there any

language in the cited passage that teaches a circuit operable to retrieve a signal generating from a personal identification means input unit in an Internet appliance. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 14 and 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Further, Stewart instead simply teaches that pre-boot services will include code for one or more modem drivers. Column 4, lines 15-16. While Stewart teaches modem drivers, the above-cited claim limitation recites more than just "device driver code." The above-cited claim limitation states "a security protocol circuit operable to encrypt, decrypt, store and retrieve....device driver code." Neither Voit nor Stewart, taken singly or in combination, teach a protocol circuit operable to encrypt, decrypt, store and retrieve....device driver code. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 14 and 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Further, in response to Appellants' argument in the second paragraph above, the Examiner cites column 9, lines 38-55 of Voit as teaching the above-cited claim limitation. Paper No. 6, page 3. Appellants respectfully traverse and assert that Voit instead teaches that the communication through the C3.14 interface is preferably encrypted and secure. Column 9, lines 44-45. There is no language in the cited passage that teaches decrypting. Neither is there any language in the cited passage that teaches storing or retrieving PIM signals and device driver code. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 14 and 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Appellants further assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a dialing action controller (DAC) coupled to said system bus and said Modems, said DAC operable receive a dialing action request and to alert a user of said dialing action and to enable or disable said dialing action to said Modems in response to said verification signal and a user signal" as recited in claim 14 and similarly in claim 30. The Examiner cites column 9, lines 56-67; column 13, lines 21-64 and column 18, lines 8-12 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 9. Appellants respectfully traverse.

Voit instead teaches that a C3 object represents a network element required to perform customer authentication, call authorization, usage accounting and usage pricing for a particular PC user's customer account. Column 8, lines 59-62. Voit further teaches that the C3 object evaluates the customer account status to determine if there are multiple connections currently in service. Column 9, lines 56-58. Voit further teaches that the C2 object is able to signal various states of a connection (ringing, busy, etc.) to a PC user. Column 13, lines 21-22. Voit further teaches that the C3 object ensures coordination between user authorization and usage recording for a single PC user's customer account. Column 13, lines 34-37. Voit further teaches that if the authorization was successful, the C2 object will establish the PSTN connection and notify the client software that the call is preceding. Column 18, lines 9-11. Thus, Voit teaches that the C2 object establishes the PSTN connection and notifies the client software that the call is preceding. Voit further teaches a C3 object that represents a network element required to perform customer authentication, call authorization, usage accounting and usage pricing for a particular PC user's customer account.

There is no language in the cited passages that teaches a dialing action controller (DAC) coupled to a system bus and to modems. The Examiner had previously cited Figure 9 of Voit as disclosing modems. Paper No. 4, page 6. Upon

review of Figure 9 of Voit, Appellants were unable to identify a DAC coupled to a system bus and to the modems. Neither is there any language in the cited passages that teaches a DAC operable to enable a dialing action to the modems. Neither is there any language in the cited passages that teaches a DAC operable to disable a dialing action to the modems. Neither is there any language in the cited passages that teaches a DAC operable to enable or disable a dialing action to the modems in response to a verification signal and a user signal. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 14 and 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner cites column 13, lines 18-21 and 26-29 of Voit as teaching the above-cited claim limitation. Paper No. 6, page 3. Appellants respectfully traverse. Voit instead teaches that when initiating a V/IP call, the PC user may be required to provide the 10 digit E.164 address of the called telephone user, the IP address of the ITG associated with the called telephone user, the PC's IP address, as well as the billing account number and associated password. Column 3, lines 14-20. Voit further teaches that the C2 generates the raw usage records which are sent to C3. Column 13, lines 26-27. Voit further teaches that a usage record is not tagged as billable unless the PC application has acknowledged its receipt of a connection establishment message. Column 13, lines 27-29. Voit further teaches that the C2 object may require a user ID and password to be provided by the PC Client software prior to completing a V/IP call. Column 13, lines 29-31. Hence, Voit teaches an object requiring a user ID and password to be provided prior to completing a voice over IP call. There is no language in the cited passage that teaches a dialing action controller (DAC) coupled to a system bus. Neither is there any language in the cited passage that teaches a dialing action controller (DAC) coupled to a system bus and to modems. Neither is there any language in the cited

passages that teaches a DAC operable to enable a dialing action to the modems. Neither is there any language in the cited passages that teaches a DAC operable to disable a dialing action to the modems. Neither is there any language in the cited passages that teaches a DAC operable to enable or disable a dialing action to the modems in response to a verification signal and a user signal. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 14 and 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Appellants further assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a security processor unit, said security processor unit further comprising: one or more personal identification means (PIM) input units coupled to a system bus in said ICA, said PIM input units operable to generate unique PIM signals and device driver code" as recited in claim 30. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 10. Appellants respectfully traverse.

Voit instead teaches that that the authorization request is relayed over C3.14 which typically consists of an account number and password provided by the PC User to be authenticated by C3. There is no language in the cited passages that teaches a personal identification means input unit in an Internet appliance. Neither is there any language in the cited passages that teaches a personal identification means input unit coupled to a system bus in an Internet appliance. Instead, the cited passages teaches relaying an authorization request at the network system block or the network provider domain. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner cites column 13, lines 26-29 of Voit as teaching the above-cited claim limitation. Paper No. 6, page 4. Appellants respectfully traverse and assert that Voit instead teaches that the C2 generates the raw usage records which are sent to C3. Column 13, lines 26-27. Voit further teaches that a usage record is not tagged as billable unless the PC application has acknowledged its receipt of a connection establishment message. Column 13, lines 27-29. Voit further teaches that the C2 object may require a user ID and password to be provided by the PC Client software prior to completing a V/IP call. Column 13, lines 29-31. Hence, Voit teaches an object requiring a user ID and password to be provided prior to completing a voice over IP call. There is no language in the cited passage that teaches a personal identification means (PIM) input unit coupled to a system bus in an Internet appliance. Neither is there any language in the cited passage that teaches such a PIM input unit that is operable to generate a unique PIM signal. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 30, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

2. Examiner Relies on a Reference Under 35 U.S.C. §103 that is not Analogous Prior Art.

The test for obviousness is what the combined teachings of the references would have suggested to one of ordinary skill in the art, and all teachings in the prior art must be considered to the extent that they are in analogous arts. M.P.E.P. §2143.01. In order to rely on a reference as a basis for rejection under 35 U.S.C. §103(a), the reference must either be in the field of Appellants' endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned. *In re Oetiker*, 977 F.2d 1443, 1446, 24 U.S.P.Q.2d 1443, 1445 (Fed. Cir. 1992). The Examiner cites the Voit and Stewart references in his rejection of claims

14, 16-30 and 32-45 under 35 U.S.C. §103(a). The Stewart reference addresses the problem of permitting modem connection for diagnosis, update and/or downloading of other desirable information over a network connection without the need for an operating system boot. Column 1, lines 8-45. Appellants, on the other hand, address the problem of having an Internet appliance that integrates telephone with security and guidance features. Specification, page 2, lines 18-19. Hence, the Stewart reference is not in the same field as Appellants' endeavor and is not reasonably pertinent to solving the problem of having an Internet appliance that integrates telephone with security and guidance features. As a result, the Stewart reference is not an analogous prior art and the Examiner has not established a *prima facie* case of obviousness in rejecting claims 14, 16-30 and 32-45. M.P.E.P. §2141.01; 2143.01.

3. The Examiner's motivation in modifying Voit to incorporate the missing limitations of claims 14 and 30 is insufficient to establish a *prima facie* case of obviousness in rejecting claims 14, 16-30 and 32-45.

Most if not all inventions arise from a combination of old elements. *See In re Rouffet*, 47 U.S.P.Q.2d 1453, 1457 (Fed. Cir. 1998). Obviousness is determined from the vantage point of a hypothetical person having ordinary skill in the art to which the patent pertains. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1457 (Fed. Cir. 1998). Therefore, an Examiner may often find every element of a claimed invention may often be found in the prior art. *Id.* However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention. *See Id.* In order to establish a *prima facie* case of obviousness, the Examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998). That is, the Examiner must provide some suggestion or motivation, either in the references themselves, the knowledge of one of

ordinary skill in the art, or, in some case, the nature of the problem to be solved, to modify the reference or to combine reference teachings. *See In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). Whether the Examiner relies on an express or an implicit showing, the Examiner must provide particular findings related thereto. *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000).

The Examiner admits that Voit does not teach "a security protocol circuit operable to encrypt, decrypt, store and retrieve...device driver code" as recited in claim 14 and similarly in claim 30. Office Action (1/30/2006), page 9. The Examiner's motivation for modifying Voit with Stewart to include the above-cited claim limitation is "to establish a network connection." Office Action (1/30/2006), page 10. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation does not provide reasons, as discussed further below, that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would modify Voit to include the above-cited missing claim limitation from claims 14 and 30. Accordingly, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 14, 16-30 and 32-45. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998).

Voit addresses the problem of voice over the Internet implementations being subject to best-effort quality of service instead of "toll quality" service. Column 4, lines 32-53. The Examiner has not provided any reasons as to why one skilled in the art would modify Voit, which overcomes the above-mentioned problems by having voice over the Internet being subject to toll quality service, to have a security protocol circuit operable to encrypt, decrypt, store and retrieve device driver code (Examiner admits that Voit does not teach this limitation). As stated above, the Examiner's

motivation is to have a modem driver code to establish a network connection (source of Examiner's motivation is column 1, lines 54-55). This does not provide reasons as to why one skilled in the art would modify Voit, whose purpose is to implement voice over the Internet being subject to toll quality service, to have a security protocol circuit operable to encrypt, decrypt, store and retrieve device driver code. Further, the Examiner has not provided any rationale connection between establishing a network connection (Examiner's motivation) and having a security protocol circuit operable to encrypt, decrypt, store and retrieve device driver code (missing claim limitation). The Examiner must provide objective evidence in modifying Voit to include the above-cited missing limitation of claims 14 and 30. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Instead, the Examiner is merely relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness in rejecting claims 14, 16-30 and 32-45. *Id.* Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 14, 16-30 and 32-45. *Id.*

4. Claims 16-29 and 32-45 are patentable over Voit in view of Stewart for at least the reasons that claims 14 and 30, respectively, are patentable over Voit in view of Stewart.

Claims 16-29 depend from claim 14, and hence claims 16-29 are patentable over Voit in view of Stewart for at least the reasons that claim 14 is patentable over Voit in view of Stewart as discussed above in Sections (B)(1)-(3). Furthermore, claims 32-45 depend from claim 30, and hence claims 32-45 are patentable over Voit in view of Stewart for at least the reasons that claim 30 is patentable over Voit in view of Stewart as discussed above in Sections (B)(1)-(3).

5. Claims 16 and 32 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a digital subscriber line (DSL) Modem" as

recited in claim 16 and similarly in claim 32. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 12. Appellants respectfully traverse and assert that Voit simply teaches a modem. However, there is no language in the description of Figures 4 and 9 that teach a digital subscriber line modem. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 16 and 32, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to have a digital subscriber line modem. Paper No. 6, page 5. While it may be well known in the art today to have a digital subscriber line modem, the Examiner must provide a motivation or suggestion for modifying Voit to include a digital subscriber line modem in order to establish a *prima facie* case of obviousness in rejecting claims 16 and 31. M.P.E.P. §2143.

6. Claims 17 and 33 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a wireless cellular modem" as recited in claim 17 and similarly in claim 33. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 12. Appellants respectfully traverse and assert that Voit simply teaches a modem. There is no language in the description of Figures 4 and 9 that teach a wireless cellular modem. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 17 and 33, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to have a wireless cellular modem. Paper No. 6, page 5. While it may be well known in the art today to have a wireless cellular modem, the Examiner must provide a motivation or suggestion for modifying Voit to include a wireless cellular modem in order to establish a *prima facie* case of obviousness in rejecting claims 17 and 33. M.P.E.P. §2143.

7. Claims 18 and 34 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a wireless personal communication system (PCS) modem" as recited in claim 18 and similarly in claim 34. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 12. Appellants respectfully traverse and assert that Voit simply teaches a modem. There is no language in the description of Figures 4 and 9 that teach a wireless personal communication system modem. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 18 and 34, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to have a wireless personal communication system modem. Paper No. 6, page 5. While it may be well known in the art today to have a wireless personal communication modem, the Examiner must provide a motivation or suggestion for modifying Voit to include a wireless personal communication system modem in order to establish a *prima facie* case of obviousness in rejecting claims 18 and 34. M.P.E.P. §2143.

8. Claims 19 and 35 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a cable modem" as recited in claim 19 and similarly in claim 35. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 12. Appellants respectfully traverse and assert that Voit simply teaches a modem. There is no language in the description of Figures 4 and 9 that teach a cable modem. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 19 and 35, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to have a cable modem. Paper No. 6, page 5. While it may be well known in the art today to have a digital subscriber line modem, the Examiner must provide a motivation or suggestion for modifying Voit to include a digital subscriber line modem in order to establish a *prima facie* case of obviousness in rejecting claims 19 and 35. M.P.E.P. §2143.

9. Claims 20 and 36 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "a public subscriber telephone network (PSTN) modem" as recited in claim 20 and similarly in claim 36. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 13. Appellants respectfully traverse and assert that Voit simply teaches a modem. There is no language in the description of Figures 4 and 9 that teach a public subscriber telephone network modem. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 20 and 36, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to have a public subscriber telephone network modem. Paper No. 6, page 5. While it may be well known in the art today to have a public subscriber telephone network modem, the Examiner must provide a motivation or suggestion for modifying Voit to include a public subscriber telephone network modem in order to establish a *prima facie* case of obviousness in rejecting claims 20 and 36. M.P.E.P. §2143.

10. Claims 24 and 40 are patentable over Voit in view of Stewart.

Appellants further assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "wherein said user is given an option of communicating on an established communication link in response to an authorized and enabled dialing action using said security protocol" as recited in claim 24 and similarly in claim 40. The Examiner cites column 18, lines 9-33 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 14. Appellants respectfully traverse and assert that Voit instead teaches that after a call has been established, the PC will respond to the network that it recognizes that a connection has been established. The user of PC is not, however, provided an option of communicating on an established communication link in response to an authorized and enabled dialing action. Neither is the user of the PC provided an option of communicating on an established communication link in response to an authorized and enabled dialing action using a security protocol. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 24 and 40, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

11. Claims 25 and 41 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up" as recited in claim 25 and similarly in claim 41. The Examiner cites column 17, lines 55-61 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 14. Appellants respectfully traverse and assert that Voit instead teaches a user initiating a call via the PC's V/IP software. There is no language in the cited passage that teaches using a built-in key escrow function. Neither is there any language in the cited passage that teaches using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address. Neither is there any language in the cited passage that teaches using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission. Neither is there any language in the cited passage that teaches using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 25 and 41, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

12. Claims 26 and 42 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "entering a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a Web page" as recited in claim 26 and similarly in claim 42. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 14. Appellants respectfully traverse and assert that Voit instead teaches relaying an authorization request over C3.14 which typically consists of an account number and a password provided by the PC user to be authenticated by the C3 object. There is no language in the cited passages that teaches entering a communication access number via a keyboard keypad. Neither is there any language in the cited passages that teaches entering a communication access number via a virtual display keypad. Neither is there any language in the cited passages that teaches entering a communication access number by clicking a "hot spot" on a Web page. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 26 and 42, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner, as understood by Appellants, asserts that it is well known in the art to enter a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a web page. Paper No. 6, page 5. While it may be well known in the art today to enter a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a web page, the Examiner must provide a motivation or suggestion for modifying Voit to enter a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a web page in order to establish a *prima facie* case of obviousness in rejecting claims 26 and 42. M.P.E.P. §2143.

13. Claims 28 and 44 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "wherein said user is alerted of said dialing action whether said dialing action was initiated locally or remote by another user" as recited in claim 28 and similarly in claim 44. The Examiner cites column 9, lines 56-67; column 13, lines 21-64 and column 18, lines 8-12 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 15. Appellants respectfully traverse and assert that Voit instead teaches that the C3 object evaluates the customer account status to determine if there are multiple connections currently in service. Voit further teaches that the C3 object ensures coordination between the user authorization and usage recording for a single PC user's customer account. Voit further teaches that the C2 object will establish the PSTN connection if authorization was successful and notify the client software that the call is proceeding. However, the user is not alerted of a dialing action initiated locally or remotely by another user. Instead, the user is notified of establishing a connection after authorization was successful. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 28 and 44, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

14. Claims 29 and 45 are patentable over Voit in view of Stewart.

Appellants respectfully assert that Voit and Stewart, taken singly or in combination, do not teach or suggest "wherein DAC monitors incoming communication access numbers and directs communication to a answering or recording device or forwards the communication to another communication link in response to comparing said incoming communication access numbers to a predetermined, stored communication access numbers list" as recited in claim 29 and similarly in claim 45. The Examiner cites column 7, lines 39-58; column 12, line 64

– column 13, line 20 and column 19, lines 22-27 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 15. Appellants respectfully traverse and assert that Voit instead teaches an Internet telephony gateway that communicates with a PC user to establish a PC to telephone call. There is no language in the cited passages that teaches monitoring incoming communication access numbers and directing communication to an answering or recording device. Neither is there any language in the cited passages that teaches monitoring incoming communication access numbers and forwarding the communication to another communication link in response to comparing the incoming communication access numbers to a predetermined, stored communication access numbers list. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 29 and 45, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

C. Claim 2 is not properly rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Rao and Stewart.

The Examiner has rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Rao and in further view of Stewart. Office Action (1/30/2006), page 20. Appellants respectfully traverse these rejections for at least the reasons stated below.

1. Claim 2 is patentable over Voit in view of Rao and Stewart for at least the reasons that claim 3 is patentable over Voit in view of Rao.

Claim 2 depends from claim 3, and hence claim 2 is patentable over Voit in view of Rao and Stewart for at least the reasons that claim 3 is patentable over Voit in view of Rao as discussed above in Sections (A)(1)(a) and (2).

2. Voit, Rao and Stewart, taken singly or in combination, do not teach or suggest the following claim limitations.

Appellants respectfully assert that Voit, Rao and Stewart, taken singly or in combination, do not teach or suggest "prompting said user to enter a user personal identification means (PIM) in response to selecting said communication access number" as recited in claim 2. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 20. Appellants respectfully traverse and assert that Voit instead teaches that the authorization request is relayed over C3.14 which typically consists of an account number and password provided by the PC User to be authenticated by C3. There is no language in the cited passages that teaches prompting a user to enter a user identification means. Neither is there any language in the cited passages that teaches prompting a user to enter a user identification means in response to selecting a communication access number. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 2, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

In response to Appellants' above argument, the Examiner cites column 13, lines 26-29 of Voit as teaching the above-cited claim limitation. Paper No. 6, page 4. Appellants respectfully traverse and assert that Voit instead teaches that the C2 generates the raw usage records which are sent to C3. Column 13, lines 26-27. Voit further teaches that a usage record is not tagged as billable unless the PC application has acknowledged its receipt of a connection establishment message. Column 13, lines 27-29. Voit further teaches that the C2 object may require a user ID and password to be provided by the PC Client software prior to completing a V/IP call. Column 13, lines 29-31. Hence, Voit teaches requiring a user ID and password prior to completing a V/IP call. However, there is no language in the cited passage that teaches prompting a user to enter a user identification means. Neither is there any language in the cited passages that teaches prompting a user to enter a user

identification means in response to selecting a communication access number. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 2, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Appellants further assert that Voit, Rao and Stewart, taken singly or in combination, do not teach or suggest "initiating a pre-determined security protocol to retrieve a corresponding secure PIM for comparison" as recited in claim 2. The Examiner cites column 9, lines 38-55 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 20. Appellants respectfully traverse and assert that Voit instead teaches that the C3 object is invoked during a call when an authorization request is relayed over the interface C3.14. There is no language in the cited passage that teaches initiating a pre-determined security protocol. Neither is there any language in the cited passage that teaches initiating a pre-determined security protocol to retrieve a corresponding secure personal identification means for comparison. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 2, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Appellants further assert that Voit, Rao and Stewart, taken singly or in combination, do not teach or suggest "retrieving secure device driver code for executing said dialing action using said security protocol in response to said authorization" as recited in claim 2. The Examiner simply cites column 4, lines 14-52 and column 5, lines 10-43 of Stewart as teaching using a device driver code to start a network connection. Office Action (1/30/2006), page 21. The above-cited claim limitation does not simply recite using a device driver code to start a network connection. Instead, the above-cited claim limitation recites "retrieving secure device driver code for executing the dialing action using the security protocol in response to

the authorization." The Examiner cannot ignore claim language. All words in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). The Examiner is required to cite a reference or combination of references that teaches or suggests all of the claim limitations. M.P.E.P. §2142. Since the Examiner has not cited a reference or combination of references that teaches the limitation of "retrieving secure device driver code for executing the dialing action using the security protocol in response to the authorization," the Examiner has not established a *prima facie* case of obviousness in rejecting claim 2. M.P.E.P. §2143.

Appellants further assert that Voit, Rao and Stewart, taken singly or in combination, do not teach or suggest "executing said dialing action using said device driver code for said communication link in response to said authorization and a user response to said connectivity cost alert" as recited in claim 2. The Examiner cites column 18, lines 9-33 of Voit as teaching the above-cited claim limitation. Office Action (1/30/2006), page 21. The Examiner further cites column 4, lines 14-52 and column 5, lines 10-43 of Stewart as teaching using a device driver code to start a network connection. Office Action (1/30/2006), page 21. Appellants respectfully traverse.

Voit instead teaches that if authorization was successful, the C2 object will establish the PSTN connection and notify the client software that the call is preceding. Voit further teaches that the C2 object may also pass on to the calling PC the pricing information obtained form the C3 object. Voit further teaches that the C2 object will continue to update the client software with call establishment information as the call is proceeding and may also pass along to the caller a running account of the cost of the call. Voit further teaches that after the call has been established, the PC will respond to the network that it recognizes that a connection has been established, timing of the call's duration can be initiated, and any usage measurements will

indicate that the call is billable. There is no language in the cited passage that teaches executing a dialing action using a device driver code for a communication link. Neither is there any language in the cited passage that teaches executing a dialing action using a device driver code for a communication link in response to authorization and a user response to the connectivity cost alert. Instead, Voit teaches that the PC responds after the call has been established. That is, Voit teaches establishing a call without a response from the user of the PC with respect to the pricing information passed along to the caller. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 2, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Further, the Examiner cites column 4, lines 14-52 and column 5, lines 10-43 of Stewart as teaching using a device driver code to start a network connection. This is not the same as teaching executing a dialing action using a device driver code. Neither is this the same as teaching executing a dialing action using a device driver code for the communication link in response to an authorization. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 2, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

3. Examiner Relies on a Reference Under 35 U.S.C. §103 that is not Analogous Prior Art.

As stated above, the test for obviousness is what the combined teachings of the references would have suggested to one of ordinary skill in the art, and all teachings in the prior art must be considered to the extent that they are in analogous arts. M.P.E.P. §2143.01. In order to rely on a reference as a basis for rejection under 35 U.S.C. §103(a), the reference must either be in the field of Appellants' endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor

was concerned. *In re Oetiker*, 977 F.2d 1443, 1446, 24 U.S.P.Q.2d 1443, 1445 (Fed. Cir. 1992). The Examiner cites the Voit, Rao and Stewart references in his rejection of claim 2 under 35 U.S.C. §103(a). The Stewart reference addresses the problem of permitting modem connection for diagnosis, update and/or downloading of other desirable information over a network connection without the need for an operating system boot. Column 1, lines 8-45. Appellants, on the other hand, address the problem of having an Internet appliance that integrates telephone with security and guidance features. Specification, page 2, lines 18-19. Hence, the Stewart reference is not in the same field as Appellants' endeavor and is not reasonably pertinent to solving the problem of having an Internet appliance that integrates telephone with security and guidance features. As a result, the Stewart reference is not an analogous prior art and the Examiner has not established a *prima facie* case of obviousness in rejecting claim 2. M.P.E.P. §2141.01; 2143.01.

4. The Examiner's motivation in modifying Voit to incorporate the missing limitations of claim 2 is insufficient to establish a *prima facie* case of obviousness in rejecting claim 2.

As stated above, in order to establish a *prima facie* case of obviousness, the Examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998). That is, the Examiner must provide some suggestion or motivation, either in the references themselves, the knowledge of one of ordinary skill in the art, or, in some case, the nature of the problem to be solved, to modify the reference or to combine reference teachings. *See In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). Whether the Examiner relies on an express or an implicit showing, the Examiner must provide particular findings related thereto. *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000).

The Examiner admits that Voit does not teach "retrieving secure device driver code for executing the dialing action using the security protocol in response to the authorization" as recited in claim 2. Office Action (1/30/2006), page 21. The Examiner further admits that Voit does not teach "executing the dialing action using the device driver code for the communication link in response to the authorization and a user response to the connectivity cost alert" as recited in claim 2. Office Action (1/30/2006), page 21. The Examiner's motivation for modifying Voit with Stewart to include the above-cited claim limitations is "to establish a network connection." Office Action (1/30/2006), page 21. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation does not provide reasons, as discussed further below, that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would modify Voit to include the above-cited missing claim limitations from claim 2. Accordingly, the Examiner has not presented a *prima facie* case of obviousness for rejecting claim 2. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998).

Voit addresses the problem of voice over the Internet implementations being subject to best-effort quality of service instead of "toll quality" service. Column 4, lines 32-53. The Examiner has not provided any reasons as to why one skilled in the art would modify Voit, which overcomes the above-mentioned problems by having voice over the Internet being subject to toll quality service, to retrieve secure device driver code for executing the dialing action and to execute the dialing action using the device driver code (Examiner admits that Voit does not teach these limitations). As stated above, the Examiner's motivation is to have a modem driver code to establish a network connection (source of Examiner's motivation is column 1, lines 54-55). This does not provide reasons as to why one skilled in the art would modify Voit, whose

purpose is to implement voice over the Internet being subject to toll quality service, to retrieve secure device driver code for executing the dialing action and to execute the dialing action using the device driver code. Further, the Examiner has not provided any rationale connection between establishing a network connection (Examiner's motivation) and retrieving secure device driver code for executing the dialing action as well as executing the dialing action using the device driver code (missing claim limitations). The Examiner must provide objective evidence in modifying Voit to include the above-cited missing limitation of claim 2. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Instead, the Examiner is merely relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness in rejecting claim 2. *Id.* Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claim 2. *Id.*

D. Claims 15 and 31 are not properly rejected under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Stewart and Gullman.

The Examiner has rejected claims 15 and 31 under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Stewart and Gullman. Office Action (1/30/2006), page 21. Appellants respectfully traverse these rejections for at least the reasons stated below.

1. Voit, Stewart and Gullman, taken singly or in combination, do not teach or suggest the following claim limitations.

Appellants respectfully assert that Voit, Stewart and Gullman, taken singly or in combination, do not teach or suggest "wherein said authorization unit comprises: a smart card reader; a biometric input unit; a personal identification number input unit; and a voice recognition input unit" as recited in claim 15 and similarly in claim 31. The Examiner asserts that column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit teaches a personal identification number input unit. Office Action (1/30/2006), page 22. The Examiner further asserts

that Gullman teaches a smart card reader, a biometric input unit and a voice recognition unit though does not cite to any particular passage in Gullman. Office Action (1/30/2006), page 22. Appellants respectfully traverse that Voit, Stewart and Gullman, taken together, teach a smart card reader. Appellants performed a search of the phrase "smart card reader" in Voit, Stewart and Gullman and were unable to identify the phrase "smart card reader" or any variation thereof. The Examiner cites the Abstract of Gullman as teaching "an integrated circuit card" and concludes that Gullman teaches a smart card reader. The Examiner must provide a basis in fact and/or technical reasoning to conclude that the teaching of an integrated circuit card in Gullman is equivalent to a smart card reader. *See Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, the Examiner must provide extrinsic evidence that must make clear that the teaching of an integrated circuit card in Gullman is equivalent to a smart card reader, and that it be so recognized for persons of ordinary skill. *See In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999). Since the Examiner has not provided such evidence, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 15 and 31. M.P.E.P. §2131. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 15 and 31, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

2. The Examiner has not presented a source of motivation for combining Voit and Stewart with Gullman.

The Examiner states that the motivation to modify Voit with Gullman to incorporate the limitations of claims 15 and 31 is to increase individual security by precluding a hacker who gained access to the account number and password to feign that he is the actual user and place unauthorized calls. Office Action (1/30/2006), page 22. The motivation to modify Voit with Gullman must come from one of three possible sources: the nature of the problem to be solved, the teachings of the prior art,

and the knowledge of persons of ordinary skill in the art. *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998). The Examiner has not provided any evidence that his motivation comes from any of these sources. Instead, the Examiner is relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 15 and 31. *Id.*

3. Claims 15 and 31 depend from claims 14 and 30, respectively, and hence are allowable for at least the reasons that claims 14 and 30 are allowable.

Appellants further note that claims 15 and 31 depend from claims 14 and 30, respectively Claims 15 and 31 are allowable for at least the reasons that claims 14 and 30, respectively, are allowable as stated above in Section B.

VIII. CONCLUSION

For the reasons noted above, the rejections of claims 2-45 are in error. Appellants respectfully request reversal of the rejections and allowance of claims 2-45.

Respectfully submitted,
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CLAIMS APPENDIX

2. The method of claim 3 wherein said authorization comprises the sub steps of:

prompting said user to enter a user personal identification means (PIM) in response to selecting said communication access number;

initiating a pre-determined security protocol to retrieve a corresponding secure PIM for comparison;

correlating said user personal identification means with said secure PIM;

authorizing or rejecting said dialing action in response to said correlation;

retrieving secure device driver code for executing said dialing action using said security protocol in response to said authorization;

displaying, if said dialing action is authorized, a connectivity cost alert for said communication link; and

executing said dialing action using said device driver code for said communication link in response to said authorization and a user response to said connectivity cost alert.

3. A method of integrating telephony function with security and guidance features on an Internet appliance comprising the steps of:

selecting a communication access number using a selection means, said communication access number operable to access a communication link via said Internet appliance;

alerting a user of said Internet appliance when an attempt is made to select said communication link via a dialing action of said Internet appliance using said communication access number;

receiving an authorization for said dialing action by said user of said Internet appliance; and

using a security protocol for encrypting and decrypting information transmitted on said communication link in response to authorizing said dialing action

for said communication link.

4. The method of claim 3, wherein said security protocol is a Public/Private key encryption protocol.

5. The method of claim 3, wherein a PIM is used to grant or block access to certain area or country telephony codes.

6. The method of claim 3, further comprising the step of:

matching said communication access number with an actual system entered communication access number.

7. The method of claim 3, further comprising the steps of:

monitoring an incoming call for a caller ID; and

answering and routing said incoming call to a receiving device on the basis of said incoming telephone number.

8. The method of claim 3, further comprising the step of:

using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up.

9. The method of claim 3, wherein activating said selected communication access number comprises selecting said communication access number from a displayed Internet web page hot spot.

10. The method of claim 3, wherein said communication access number is selected using an actual or virtual keypad of said Internet appliance.

11. The method of claim 3, wherein said communication link comprises a non-concurrent shared dial-up public switched telephone network (PSTN) connection between a telephone connection and an Internet connection.

12. The method of claim 3, wherein said communication link has separate connections for an Internet connection and a telephone connection.

13. The method of claim 3, wherein said communication link comprises a concurrent communication link for an Internet and a telephone connection.

14. A system for integrating telephony function with security and guidance features on an Internet appliance (IA):

one or more personal identification means (PIM) input units coupled to a system bus in an ICA, said PIM input units operable to generate unique PIM signals;

a security protocol circuit operable to encrypt, decrypt, store and retrieve said PIM signals and device driver code;

a PIM verification circuit operable to receive said PIM signals and compare them to secure predetermined PIM signals, said PIM verification circuit generating a verification signal;

one or more Modems coupled to a dialing action controller and to communication lines; said Modems operable to send and receive communication data; and

a dialing action controller (DAC) coupled to said system bus and said Modems, said DAC operable receive a dialing action request and to alert a user of said dialing action and to enable or disable said dialing action to said Modems in

response to said verification signal and a user signal.

15. The system of claim 14, wherein an authorization unit comprises:
a smart card reader;
a biometric input unit;
a personal identification number input unit; and
a voice recognition input unit.

16. The system of claim 14, wherein a Modem of said Modems comprises:
a digital subscriber line (DSL) Modem.

17. The system of claim 14, wherein a Modem of said Modems comprises:
a wireless cellular modem.

18. The system of claim 14, wherein a Modem of said Modems comprises:
a wireless personal communication system (PCS) modem.

19. The system of claim 14, wherein a Modem of said Modems comprises:
a cable Modem.

20. The system of claim 14, wherein a Modem of said Modems comprises a public subscriber telephone network (PSTN) Modem.

21. The system of claim 14, wherein said DAC alerts said user of a dialing action by display on a user display screen coupled to said IA.

22. The system of claim 14, wherein said DAC retrieves a connectivity cost and alerts said user of a connectivity cost associated with a requested dialing action if said

dialing action is authorized.

23. The system of claim 14, wherein said user signal is a response by said user to a connectivity cost alert for said dialing action.

24. The system of claim 14, wherein said user is given an option of communicating on an established communication link in response to an authorized and enabled dialing action using a security protocol.

25. The system of claim 14, wherein said DAC uses a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up.

26. The system of claim 14, wherein said dialing action request comprises:

entering a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a Web page.

27. The system of claim 14, wherein said connectivity cost alert notifies a user of an actual toll call cost for a communication link corresponding to said authorized and enabled dialing action.

28. The system of claim 14, wherein said user is alerted of said dialing action whether said dialing action was initiated locally or remote by another user.

29. The system of claim 14, wherein DAC monitors incoming communication

access numbers and directs communication to a answering or recording device or forwards the communication to another communication link in response to comparing said incoming communication access numbers to a predetermined, stored communication access numbers list.

30. An Internet appliance, comprising:

a central processing unit (CPU);

a read only memory (ROM);

a random access memory (RAM);

a user interface adapter coupled to a keyboard and a mouse;

a display interface adapter coupled to a user display;

an I/O interface adapter;

a system bus;

a communication adapter; and

a security processor unit,

said security processor unit further comprising:

one or more personal identification means (PIM) input units coupled to a system bus in an ICA, said PIM input units operable to generate unique PIM signals;

a security protocol circuit operable to encrypt, decrypt, store and retrieve said PIM signals and device driver code;

a PIM verification circuit, said PIM verification circuit operable to receive said PIM signals and compare them to secure predetermined PIM signals, said PIM verification circuit generating a verification signal;

one or more Modems coupled to a dialing action controller and to communication lines, said Modems operable to send and receive communication data; and

a dialing action controller (DAC) coupled to said system bus and said Modems, said DAC operable receive a dialing action request and to alert a user of said dialing action and to enable or disable said dialing action to said Modems in response to said

verification signal and a user signal.

31. The Internet appliance of claim 30, wherein a PIM input unit of said PIM input units comprises:

a smart card reader;

a biometric input unit;

a personal identification number input unit; and

a voice recognition input unit

32 The Internet appliance of claim 30, wherein said Modem comprises:

a digital subscriber line (DSL) Modem.

33. The Internet appliance of claim 30, wherein a Modem of said Modems comprises:

a wireless cellular modem.

34. The Internet appliance of claim 30, wherein a Modem of said Modems comprises:

a wireless personal communication system (PCS) modem.

35. The Internet appliance of claim 30, wherein a Modem of said Modems comprises a cable Modem.

36. The Internet appliance of claim 30, wherein a Modem of said Modems comprises a public subscriber telephone network (PSTN) Modem.

37. The Internet appliance of claim 30, wherein said DAC alerts said user of a dialing action by display on a user display screen coupled to said IA.

38. The Internet appliance of claim 30, wherein said DAC retrieves a connectivity cost and alerts said user of a connectivity cost associated with a requested dialing action if said dialing action is authorized.

39. The Internet appliance of claim 30, wherein said user signal is a response by said user to a connectivity cost alert for said dialing action.

40. The Internet appliance of claim 30, wherein said user is given an option of communicating on an established communication link in response to an authorized and enabled dialing action using data encryption.

41. The Internet appliance of claim 30, wherein said DAC uses a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up.

42. The Internet appliance of claim 30, wherein said dialing action request comprises:

entering a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a Web page.

43. The Internet appliance of claim 30, wherein said connectivity cost alert notifies a user of an actual toll call cost for a communication link corresponding to said authorized and enabled dialing action.

44. The Internet appliance of claim 30, wherein said user is alerted of said dialing action whether said dialing action was initiated locally or remote by another user.

45. The Internet appliance of claim 30, wherein DAC monitors incoming communication access numbers and directs communication to a answering or recording device or forwards the communication to another communication link in response to comparing said incoming communication access numbers to a predetermined, stored communication access numbers list.

EVIDENCE APPENDIX

No evidence was submitted pursuant to §§1.130, 1.131, or 1.132 of 37 C.F.R. or of any other evidence entered by the Examiner and relied upon by Appellants in the Appeal.

RELATED PROCEEDINGS APPENDIX

There are no related proceedings to the current proceeding.